

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN LEWIS GERHOLT,	:
Plaintiff,	:
v.	: Case No. 3:13-cv-7-KRG-KAP
DONALD ORR, JR.,	:
Defendant	:

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on January 26, 2015, docket no. 43, recommending that defendant Orr's motion for summary judgment, docket no. 38, be granted.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Reports and Recommendations. Plaintiff filed timely objections to the Report and Recommendation at docket no. 44, which I have reviewed de novo. They argue the merits of the complaint but do not contest the lack of exhaustion.

After de novo review of the record, the Report and Recommendation, and the objections thereto, the following judgment order is entered:

JOHN LEWIS GERHOLT, :
Plaintiff, :
v. : Case No. 3:13-cv-7-KRG-KAP
DONALD ORR, JR., :
Defendant :

AND NOW, this 6th day of February, 2015, it is

Kimi F. Gibson

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